

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARLEYSVILLE WORCESTER INSURANCE
COMPANY ET AL.,

Plaintiffs,

-v-

CONSIGLI & ASSOCIATES, LLC ET AL.,

Defendants.

21 Civ. 934 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a motion to withdraw as counsel from Kushnick Pallaci PLLC (“Kushnick Pallaci”), counsel for defendant HIG Services, Inc. (“Hig”). Dkt. 189. Kushnick Pallaci represents that Hig has “ceased all operations and cannot and will not pay for any further legal services in this action or any action.” Dkt. 189-1. It further represents that Hig does not oppose counsel’s withdrawal in this case. *Id.*

“[A] layperson may not represent a separate legal entity such as a corporation.”

Lattanzio v. COMTA, 481 F.3d 137, 139 (2d Cir. 2007). Hig, as a legal entity, cannot continue to defend this lawsuit unless it finds new counsel. Based on the representation that Hig has ceased all operations, the Court expects to grant Kushnick Pallaci’s request to withdraw. However, the Court will give Hig until August 31, 2023 to retain new counsel and for that new attorney to formally appear on its behalf. If successor counsel does not appear by that date, the Court will grant Kushnick Pallaci’s motion at that time, and will do so earlier if successor counsel appears on Hig’s behalf before then. In the event that Hig is unrepresented after August 30, 2023, the Court will be compelled to entertain motions for default judgment against Hig. All other deadlines remain in place.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: August 17, 2023
New York, New York